



STATE OF MINNESOTA  
OFFICE OF THE ATTORNEY GENERAL  
ST. PAUL 55155

WARREN SPANNAUS  
ATTORNEY GENERAL

November 24, 1981

ADDRESS REPLY TO:  
ATTORNEY GENERAL'S OFFICE  
POLLUTION CONTROL DIVISION  
1935 WEST COUNTY ROAD B-2  
ROSEVILLE, MN 55113  
TELEPHONE: (612) 296-7342

Edward J. Schwartzbauer  
Dorsey, Windhorst, Hannaford,  
Whitney & Halladay  
2200 First Bank Place East  
Minneapolis, MN 55402

US EPA RECORDS CENTER REGION 5



515793

Re: United States v. Reilly Tar & Chemical Corp.,  
File No. Civ. 4-80-469

Dear Ed:

I want to respond to the next to last paragraph of your letter of November 16, 1981, concerning investigation of Well 23 on the former Reilly Tar site. As you are aware from the MPCA-EPA communications which I sent you in September, and from the demand letters to you from the United States Attorney, Minnesota has received federal funding for investigation of Well 23 and for several other tasks related to the ground water contamination attributed to Reilly Tar. From our phone conversation of November 13, I understand that Reilly Tar is interested in reviewing the procedures to be followed in the investigation of Well 23, in observing the work at the well, and in splitting samples obtained from the well. The State welcomes Reilly Tar's comments on procedures, presence during the well investigation, and sharing of samples and analytical results. Accordingly, when I receive the proposed contract language for the Well 23 investigation (probably next week), I will send you a copy. The contract should be executed next month and field work may begin shortly thereafter.

I am not aware of any additional requests Reilly Tar has made concerning Well 23 nor of any agreement by Reilly Tar to pay costs of the investigation. Thus, I am confused by the request in your November 16 letter "that no further effort

along this line be taken by the State without permitting Reilly to submit a proposal." I would like further explanation of this request at your earliest convenience.

Very truly yours,



STEPHEN SHAKMAN  
Special Assistant  
Attorney General

SS:mah

cc: Francis X. Hermann  
Paul Bitter - EPA (w/enc.)  
Rick Ferguson, MPCA (w/enc.)  
Mike Convery - MDH (w/enc.)  
Al Hinderaker